

REMARKS

In the August 28, 2006 Office Action, claim 7 was objected to and claims 1-20 stand rejected in view of prior art. In the August 28, 2006 Office Action, all of the claims stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the August 28, 2006 Office Action, Applicants have amended claims 1, 7, 8, 10, 11, 13, and 17-20, cancelled claim 2, respectfully traverse the prior art rejections of claims 7, 11, 17, 19, and 20, have placed claims 7, 11, 12, 17, 19, and 20 in independent form, and have included comments to support the traversals. Thus, claims 1 and 3-20 are pending, with claims 1, 7, 11-13, 17, 19, and 20 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Claim Objection

In item 1 of the Office Action, claim 7 was objected to because the usage of the word index in "index section" was deemed to be confusing. Applicants have amended claim 7 to recite -- hands of said index section -- to clarify the claim. Applicants believe that the claim is now clear.

Withdrawal of the objection is respectfully requested.

Information Disclosure Statement

In item 2 of the Office Action, it was stated that the Information Disclosure Statement filed May 7, 2004 fails to comply with the provisions of 37 CFR §§1.97 and 1.98 and MPEP §609 because the provided explanations of the references are not adequate to explain the relevance of the publications. In response, Applicants respectfully disagree.

Applicants respectfully assert that the May 7, 2004 Information Disclosure Statement complies with 37 CFR §1.97 because the statement was filed on May 7, 2004, which is prior to the issuance of the August 28, 2006 first Office action on the merits, which satisfies the requirements listed under 37 §1.97(a) and (b)(3).

Further, Applicants respectfully assert that the May 7, 2004 Information Disclosure Statement complies with 37 CFR §1.98 because the statement included:

- A list of all the references in compliance with 37 CFR §1.98(a)(1) and (b);
- Legible copies of each foreign reference in compliance with 37 CFR §1.98(a)(2); and
- A *concise* explanation of the relevance as presently understood of each reference that is not in the English language.

Applicants respectfully assert that the concise explanations that were provided stated that which was understood as the relevance by the individual designated in 37 CFR §1.98. Applicants respectfully assert that complete translations are not required under 37 CFR §1.98(a)(3)(ii) unless said translations are “within the possession, custody, or control of, or is readily available to any individual designated in §1.56(c).” Applicants respectfully assert that translations were not within possession, custody, or control, or readily available. Further, Applicants respectfully assert that MPEP §609.04(a)(II) states, “If no translation is submitted, the examiner will consider the information in view of the concise explanation and insofar as it is understood on its face.”

Thus, Applicants respectfully assert that the May 7, 2004 Information Disclosure Statement complies with the provisions of 37 CFR §§1.97 and 1.98. Applicants respectfully request consideration of all the references provided in the May 7, 2004 Information Disclosure Statement.

Rejections - 35 U.S.C. § 102

In items 4-8 of the Office Action, claims 1, 2, 9, and 13 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,262,763 (Okuyama et al.). In response, Applicants have amended independent claims 1 and 13 to define the present invention over the prior art of record and have cancelled claim 2 rendering the rejection thereof moot.

In particular, independent claim 1 has been amended to recite a portable information device circuit board having an oscillator circuit, a divider circuit, and a drive control having a counter circuit to keep time based on the clock signal from the divider circuit. Further claim 1 also now recites that the counter circuit is connected to the internal display and the analog clock to output time information thereto. Independent claim 13 has been similarly amended to recite that the integrated circuit has an oscillator circuit, a divider circuit, and a drive control circuit having a counter circuit to keep time based on the clock signal from the divider circuit. Further, claim 13 also recites that the counter circuit is connected to the internal display and the analog clock to output time information thereto. As seen in Figures 6, 17, and 21 of Okuyama et al., Okuyama et al. disclose a time counter 27 that is connected to the CPU of the internal display and fails to output time information to the analog clock 2 as recited in claims 1 and 13.

Applicants respectfully assert that this structure is not disclosed or suggested by Okuyama et al. or any other prior art of record. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each element of the claim within the reference. Therefore, Applicants respectfully submit that claims 1 and 13, as now amended, are not anticipated by the prior art of record. Withdrawal of these rejections is respectfully requested.

Moreover, Applicants believe that dependent claim 9 is also allowable over the prior art of record in that it depends from independent claim 1, and therefore is allowable for the reasons stated above. Also, the dependent claim is further allowable because it includes additional limitations. Thus, Applicants believe that since the prior art of record does not anticipate the independent claim 1, neither does the prior art anticipate the dependent claim.

Applicants respectfully request withdrawal of the rejections.

Rejections - 35 U.S.C. § 103

In items 10-17 of the Office Action, claims 3-6 and 14-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,262,763 (Okuyama et al.) in view of U.S. Patent No. 4,246,602 (Sekiya et al.). In items 18-21 of the Office Action, claims 7, 8, and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,262,763 (Okuyama et al.) and U.S. Patent No. 4,246,602 (Sekiya et al.) in view of U.S. Patent Application Publication No. 2004/0037172 (Okeya). In items 22-24 of the Office Action, claims 10 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,262,763 (Okuyama et al.) and U.S. Patent No. 4,246,602 (Sekiya et al.) in view of U.S. Patent Application Publication No. 2003/0063525 (Richardson et al.). In items 25-29 of the Office Action, claims 11, 12, 19, and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,262,763 (Okuyama et al.), and U.S. Patent No. 4,246,602 (Sekiya et al.), and U.S. Patent Application Publication No. 2003/0063525 (Richardson et al.) in view of U.S. Patent Application Publication No. 2004/0037172 (Okeya). In response, Applicants have amended independent claims 1 and 13 as mentioned above, respectfully traverse the rejections of claims 7, 8, 11, 12, 17, 19, and 20, have placed claims 7, 11, 12, 17, 19, and 20 in independent form, and have included comments to support the traversals.

Claims 3-6, 10, 14-16, and 18

Applicants believe that the recited structure of amended claims 1 and 13 is not disclosed or suggested by Okuyama et al. for the reasons mentioned above. Applicants respectfully assert that Sekiya et al. are cited to show an electronic timepiece with a digital display and an analog display that has a time adjusting section. Applicants respectfully assert that Sekiya et al. fail to disclose or to suggest a counter circuit connected to the internal display and the analog clock to output time information thereto as recited. Applicants respectfully assert that Richardson et al. are cited to show a detecting section. Applicants respectfully assert that Richardson et al. fail to disclose or to suggest a counter circuit connected to the internal display and the analog clock to output time information thereto as recited. Further, Applicants respectfully assert that since the aforementioned references individually fail to disclose or to suggest this feature, the combination of the references also fails to disclose or to suggest this feature.

Applicants respectfully assert that this arrangement is not disclosed or suggested by the prior art of record. It is well settled in U.S. patent law that the mere fact that the prior art can be modified does not make the modification obvious, unless the prior art suggests the desirability of the modification. Accordingly, the prior art of record lacks any suggestion or expectation of success for combining the patents to create the Applicants' unique arrangement.

Moreover, Applicants believe that the dependent claims are also allowable over the prior art of record in that they depend from independent claims 1 and 13, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not disclose or suggest the invention as set forth in independent claims 1 and

13, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Claims 7, 8, 11, 12, 17, 19, and 20

Specifically, with respect to the rejections of claims 7, 8, 11, 12, 17, 19, and 20, Applicant respectfully traverses these rejections, particularly in view of the following comments.

First, the subject application was filed after November 29, 1999. Second, the present application and U.S. Patent Application Publication No. 2004/0037172 (Okeya) were commonly owned at the time the present invention was made. Thus, prior art that was commonly owned and based on 35 U.S.C. §102(e) is now disqualified as prior art against the claimed invention under 35 U.S.C. §103.

Statement Concerning Common Ownership

Application No. 10/734,588 and the Okeya reference (U.S. Patent Application Publication No. 2004/0037172) were, at the time the invention of Application No. 10/734,588 was made, owned by, or subject to an obligation of assignment to Seiko Epson Corporation.

Accordingly, Applicant believes that claims 7, 8, 11, 12, 17, 19, and 20 of the above-identified patent application are patentable under 35 U.S.C. §103(c), because the Okeya reference is disqualified as prior art. See also MPEP §§706.02(l)(1) and 706.02(l)(2). Accordingly, withdrawal of these rejections is respectfully requested.

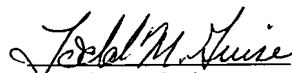
Therefore, Applicants respectfully request that the rejections be withdrawn in view of the above comments and amendments.

Appl. No. 10/734,588
Amendment dated November 27, 2006
Reply to Office Action of August 28, 2006

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1 and 3-20 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,


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